

# **BOARD OF POLICE COMMISSIONERS**

## **Minutes of the Regular Board of Police Commissioners Meeting Thursday, May 26, 2005**

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, May 26, at 3:00 p.m., at Police Headquarters, 1300 Beaubien, Detroit, Michigan 48226.

### **ATTENDANCE**

#### **Board Members Present**

Arthur Blackwell, II  
Erminia Ramirez  
Jim Holley **(ABS)**  
Megan Norris  
Willie Hampton **(ABS)**

#### **Department Personnel Present**

AC Walter Martin  
DC Chester Logan  
Lt. Cynthia Williams  
Lt. Dwane Blackmon  
Sgt. Walter Clement  
Sgt. Donna Ali-Johnson  
Sgt. Melinee Long-Thomason

#### **Board Staff Present**

Dante' L. Goss, Executive Director  
E. Lynise Bryant-Weekes, Personnel Director  
Denise R. Hooks, Attorney/Supervising Inv.  
Arnold Sheard, Interim Chief Investigator **(ABS)**

### **OTHERS PRESENT**

Ron Scott  
Rick Jones

### **RECORDERS**

Jerome Adams  
Kellie Williams

### **1. CALL TO ORDER**

**Chairperson Blackwell** called the regular meeting of the Detroit Board of Police Commissioners to order at 3:10 p.m.

## **2. APPROVAL OF MINUTES**

- Thursday, May 12, 2005
- Thursday, May 19, 2005

**MOTION:** **Comm. Norris** made the motion to approve the above Minutes.

**SECOND:** **Comm. Ramirez** seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

## **3. REPORT FROM THE CHAIR**

There was no report from the Chair.

## **4. SECRETARY'S REPORT – EXEC. DIR. GOSS**

**Exec. Dir. Goss** stated we have four (4) suspensions today and the attorneys are reserving the arguments for June 2, 2005.

### **SUSPENSION**

On Thursday, May 26, 2005, **Police Officer Vicki Bailey**, Badge 29, assigned to the Ninth Precinct, was suspended **without pay** by Chief of Police Ella M. Bully-Cummings.

On May 25, 2005, the Internal Affairs Section was notified of an allegation of misconduct on the part of Officer. More specifically, the allegation of misconduct concerned the illegal use of a controlled substance, possession of a firearm while under the influence of intoxicating liquor or controlled substance, and remaining on the property of another without permission.

Based on the foregoing, the Internal Affairs Section initiated an investigation, which revealed the following:

On May 24, 2005, at approximately 11:15 p.m., officers from the Inkster Police Department were on patrol in the 26006 block of Michigan Avenue, in

the city of Inkster. They were flagged down by a witness who advised them that there was a police officer sitting in a vehicle in the rear of the establishment without permission, who the witness observed smoking crack cocaine. Upon investigation, the driver of the vehicle was identified as off-duty Detroit Police Officer Vicki Bailey. The Inkster police officers smelled the odor of intoxicants about Officer Bailey's person and requested that she exit the vehicle. At that point, the officers observed that she was in possession of a firearm. A Preliminary Breath Test was subsequently administered with a result of .15.

Officer Bailey's vehicle was impounded and an inventory search conducted. During the inventory search, the officers recovered a brown paper bag containing one (1) piece of chore boy, which is commonly used to filter a crack pipe; one (1) metal rod, which is commonly used to clean a crack pipe; and two (2) pieces of plastic containing a white color residue, which was sent to the lab for testing, the results of which are pending. Officer Bailey was then transported to the Inkster Police Department, where she was met by members of the Detroit Police Internal Affairs Section. Upon leaving the Inkster Police Department, a pipe commonly used to smoke crack cocaine fell from Officer Bailey's pant leg.

Officer Bailey was transported to the Concentra Medical Center for a just cause drug screening. The results are pending.

Also, on May 25, 2005, the Inkster Police Department submitted a warrant request to the Wayne County Prosecutor's Office. The warrant request is currently pending.

Based on the above circumstances, it is recommended that Officer Bailey be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNPROFESSIONAL; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL DIRECTIVE 102.3-5.7, CONDUCT UNBECOMING AN OFFICER, COMMAND 3.**

Unless contravened by this Commission, the above suspension without pay will stand.

**There were no contraventions to the suspension without pay.**

On Thursday, May 26, 2005, **Police Officer Antoine Ingram**, Badge 4069, assigned to the Fifth Precinct, was suspended without pay by Chief of Police Ella M. Bully-Cummings.

On Tuesday, May 24, 2005, the Internal Affairs Section was notified of an allegation of misconduct on the part of Police Officer Antoine Ingram, badge 4069, assigned to the Fifth Precinct. More specifically, the allegation of misconduct concerned Officer Ingram's converting property belonging to another to his own use and falsifying official Detroit Police Department documents.

Based on the foregoing, the Internal Affairs Section initiated an investigation, which revealed the following:

On May 24, 2005, at approximately 11:00 a.m., a lieutenant and a police officer of the Detroit Police Department, drove to the Department of Recreation East District yard (hereinafter the yard), located at 5650 Conner in the city of Detroit, to obtain gasoline for the lieutenant's Detroit Police Department vehicle. Upon entering the yard, the lieutenant and the officer observed Officer Ingram, who was on-duty and in full uniform, pulling away from the gasoline pump in his personal vehicle, a blue Ford Explorer. The Lieutenant then retrieved the Daily Fuel Disbursement Sheet (hereinafter disbursement sheet) and observed that Officer Ingram signed for gasoline representing that he was driving a Detroit Police Department Vehicle Code #003279, with an odometer reading of 38,900. There was no documentation on the disbursement sheet as to the amount of gasoline disbursed therefrom. The lieutenant then instructed the officer to contact the Fifth Precinct to locate Vehicle Code 003279. The officer did so and was advised by the Commander's clerk that Vehicle Code 003279 was in the parking lot of the Fifth Precinct, with an odometer reading of 89,317 and had ½ tank of gasoline.

Based on the above circumstances, it is recommended that Officer Ingram be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNPROFESSIONAL; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL DIRECTIVE 102.3-5.7, CONDUCT UNBECOMING AN OFFICER, COMMAND 3.**

Unless contravened by this Commission, the above suspension without pay will stand.

**There were no contraventions to the suspension without pay.**

On Thursday, May 26, 2005, **Police Officer Douglas McDonald**, Badge 3521, assigned to the Twelfth Precinct, was suspended without pay by Chief of Police Ella M. Bully-Cummings.

On November 8, 2004, the Internal Affairs Section was notified of an allegation of misconduct on the part of Officer McDonald. More specifically, the complaint alleged that Officer McDonald did use unjustified physical force against another.

As a result, the Internal Affairs Section initiated an investigation, which revealed the following:

On November 8, 2004, at approximately 6:45 p.m., Officer McDonald was off-duty and driving his personal vehicle in the 16800 block of Monica. It is alleged that the complainant threw the contents of a can of pop onto Officer McDonald's vehicle as he drove by. Officer McDonald exited his vehicle, displayed his badge and then pulled a nickel plated automatic from his waistband and ordered the complainant to clean the soda pop off of his car. The complainant refused. This incident was witnessed by the complainant's brother, who recorded Officer McDonald's license plate number.

On May 19, 2005, a felony warrant was issued against Officer McDonald, charging him with "Felony Assault" and "Felony Firearm," contrary to MCL 750.82, MCL 750.227b, and MCL 750.81. Felony Assault is a felony punishable by not more than four (4) years in prison and/or a fine of not more than \$2,000.00; Felony Firearm is a felony punishable by two (2) years in prison.

On May 24, 2005, Officer McDonald appeared at the State of Michigan Thirty-Sixth District Court for arraignment. A plea of not guilty was entered on his behalf and a personal bond was set in the amount of \$1,000.00.

Based on the above circumstances, it is recommended that Officer McDonald be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNPROFESSIONAL; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL DIRECTIVE 102.3-5.7, CONDUCT UNBECOMING AN OFFICER, COMMAND 3.**

Unless contravened by this Commission, the above suspension without pay will stand.

**There were no contraventions to the suspension without pay.**

On Thursday, May 26, 2005, **Police Officer James Sheely**, Badge 4375, assigned to the First Precinct, was suspended without pay by Chief of Police Ella M. Bully-Cummings.

On Tuesday, May 10, 2005, the Internal Affairs Section was notified of an allegation of misconduct on the part of Officer Sheely. More specifically, the allegation of misconduct concerned Officer Sheely's Department drug screening and the presence of marijuana metabolites therein.

The facts pertinent to this Petition are as follows:

On May 5, 2005, as a result of a Department drug screening, Officer Sheely tested positive for marijuana with a quantitative level of .34 NG/ML. Previously, on January 16, 2004, as a result of a Department drug screening, Officer Sheely tested positive for marijuana with a quantitative level of .58 NG/ML. Again, on March 9, 2004, as a result of a Department drug screening, he tested positive for marijuana with a quantitative level of .73 NG/ML.

This repeated activity on the part of Officer Sheely, that being testing positive for marijuana, over a period of one (1) year indicates:

- A blatant disregard for the rules and regulations of the Detroit Police Department;
- A blatant disregard for the safety of his fellow police officers; and
- A blatant disregard for the safety of the citizens he serves.

Based on the above circumstances, it is recommended that Officer Sheely be charged with, but not limited to, the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNPROFESSIONAL; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL DIRECTIVE 102.3-5.7, CONDUCT UNBECOMING AN OFFICER, COMMAND 3.**

Unless contravened by this Commission, the above suspension without pay will stand.

There were no contraventions to the suspension without pay.

### OFFICE CLOSING

The Board of Police Commissioners' Office and the Office of the Chief Investigator will be closed on **Monday, May 30, 2005**, in observance of the Memorial Day holiday. Regular office hours will resume on Tuesday, May 31, 2005.

### CITIZEN COMPLAINTS RECEIVED

	<u>This Week</u>	<u>Year to Date</u>
2005 - Weekly Count of Complaints:	31	577
2004 - Weekly Count of Complaints:	19	581

- The Office of the Chief Investigator (OCI) closed a total of 35 cases this week.
- The Office of the Chief Investigator submitted 5 cases to the Chief's Office.
- The Chief's Office has reviewed and returned 0 cases to OCI.

## 5. REPORT/PRESENTATION – CHIEF OF POLICE

# DETROIT POLICE DEPARTMENT

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*REPORT To THE*  
BOARD OF POLICE COMMISSIONERS

## *Vision Statement*

BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take guns and drugs off the streets of the city of Detroit.

### **SPECIAL ENFORCEMENT ACTIONS**

During the period of May 16<sup>th</sup> – May 22<sup>nd</sup>, the *Narcotics Enforcement and Conspiracy Units* conducted 21 search warrants and 38 street enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

Arrests:

- ◆ 28 Felony Arrests
- ◆ 118 Misdemeanor arrests
- ◆ 9 Juvenile(s) detained

Confiscated:

- ◆ 203.5 Grams of cocaine, 126.1 grams of heroin, 2580.3 grams of marijuana and 48 pills - street value \$319,181.00
- ◆ \$24,367.00 U.S. currency
- ◆ 24 Handguns
- ◆ 12 Vehicles

### *The Homicide Section*

On May 19<sup>th</sup>, officers of the Homicide Section received a police run to 19428 Charleston on a "House Fire – Children Trapped" run. While on scene officers learned that a ten year old male child had died inside the house and a one year old female was pronounced dead at Children's Hospital. Subsequent to an investigation one (1) man and one (1) woman were arrested for "Felony Murder", "Attempted Murder" and "Arson-Dwelling House."

### *The Violent Crime Task Force*

On May 16<sup>th</sup>, officers from the Violent Crime Task Force received information from the Newark, Ohio Police Department that a man wanted in connection with a triple homicide was believed to be hiding within the city of Detroit. The Violent Crime Task Force, in conjunction with the Federal Bureau of Investigation (FBI) and the Michigan State Police, began checking locations that the defendant may have frequented. As a result of their efforts, a search warrant was executed in the 4000 block of Holmur where the man was arrested without incident and evidence in the murders was seized.



## Police/Community Intervention



### TAKING THE GUNS OFF THE STREET !



Total Guns Confiscated  
Year-To-Date  
1,586

#### FIRST PRECINCT

On May 19<sup>th</sup>, officers of the 1<sup>st</sup> Precinct responded to 2233 Brooklyn on a "Breaking and Entering in Progress" run. As a result of an investigation one (1) man was arrested for "Breaking and Entering – Business." Confiscated was one (1) flat head screw driver, seventeen sets of keys and \$11.05.

#### SECOND PRECINCT

On May 21<sup>st</sup>, officers of the 2<sup>nd</sup> Precinct while on routine patrol in the area of Hubbell and Plymouth observed a vehicle blockading a moving lane of traffic. Subsequent to an investigation one (1) man was arrested for "Carrying Concealed Weapon-Person" and "Possession of a Stolen Motor Vehicle." Confiscated were one (1) handgun and one (1) vehicle.

#### FIFTH PRECINCT

On May 23<sup>rd</sup>, officers of the 5<sup>th</sup> Precinct while on routine patrol in the 5200 block of Alter observed a vehicle matching the description of one wanted in the connection with an armed robbery of a citizen. As a result of an investigation Three (3) men were arrested for "Armed Robbery", "Carrying Concealed Weapon – Motor Vehicle." Confiscated were one (1) handgun and the citizen's jewelry.

#### SIXTH PRECINCT

On May 19<sup>th</sup>, officers of the 6<sup>th</sup> Precinct responded to 18620 Plymouth on a "Shooting" run. Subsequent to an investigation one (1) man was arrested for "Assault with Intent to Murder", "Felony Firearm", and "Possession of a Short Barrel Shotgun." Confiscated was one (1) shotgun.

#### EIGHTH PRECINCT

On May 20<sup>th</sup>, officers of the 8<sup>th</sup> Precinct while on patrol in the 8000 block of West Outer Dr. observed a vehicle matching the description of one wanted in connection with multiple armed robberies in this area. [As a result of an investigation and after a brief foot chase two \(2\) men were arrested for "Unlawful Driving Away of an Automobile", "Fleeing and Eluding" and "Receiving and Concealing Stolen Property over \\$1000."](#)

#### NINTH PRECINCT

On May 20<sup>th</sup>, officers of the 9<sup>th</sup> Precinct responded to 16642 Carlisle on a "Shots Fired into an Occupied Dwelling" run. [Subsequent to an investigation one \(1\) man was arrested for "Assault with Intent to Murder." Confiscated was one \(1\) handgun.](#)

#### ELEVENTH PRECINCT

On May 16<sup>th</sup>, officers of the 11<sup>th</sup> Precinct responded to 3940 Outer Dr. on a "Man with a fake Badge" run. Officers received information that two (2) men and one (1) juvenile attempted to rob the liquor store utilizing fake U.S. Marshall's badges and real guns. [As a result of an investigation the two \(2\) men were arrested and the juvenile detained without incident for "Impersonation of a Police Officer" and "Carrying Concealed Weapon – Person." Confiscated were three \(3\) Fake Badges with I.D. and three \(3\) handguns.](#)

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**Chief of Police Ella M. Bully-Cummings**

### **6. APPROVAL OF GENERAL ORDER**

- **DIRECTIVE 304.2: USE OF FORCE**

**MOTION:**     **Comm. Norris** made the motion to approve the above Directive.

**SECOND:**    **Comm. Ramirez** seconded the motion.

**VOTE:**        All in attendance voted in the affirmative.

### **7. REQUEST TO ACCEPT GRANT AUTHORITY**

1. The United States Department of Justice has awarded the Detroit Police Department's Narcotics Section with a "***Detroit Operation Take Back Narcotics Enforcement***" Grant in the amount of **\$98,664.00**. There is no cash match required by the City of Detroit, as part of the Detroit Earmarks in the 2005 Omnibus Appropriations Bill.

The Detroit Police Department will exhibit a "zero tolerance" for narcotics violations within the City of Detroit. The grant will increase the enforcement of illegal narcotic violations in high crime areas, and increase the execution of search warrants at known drug houses.

**MOTION:**     **Comm. Norris** made the motion to approve the above Grant.

**SECOND:**    **Comm. Ramirez** seconded the motion.

**VOTE:**        All in attendance voted in the affirmative.

2. The Eleventh Precinct is requesting permission to accept the "***Drive Michigan Safety Task Force***" Grant from the Michigan Office of Highway Safety Planning (M.O.H.S.P.). The grant period is one-year, commencing on December 6, 2004 to September 30, 2005, and is renewable based on prior enforcement.

Within the grant, the M. O.H.S.P. will pay overtime salaries for officers in the amount of **\$284,971.00**, and provide an additional **\$9,570.00** for equipment. The total budget for this grant is **\$294,541.00**. There is no cash match required by the City of Detroit.

The grant will establish specific enforcement dates to curb drinking and driving violations, and enforce the State of Michigan's drunk driving and seat belt laws.

**Chairperson Blackwell** asked is this something that is late or has it already commenced.

**Exec. Dir. Goss** stated I they said it was renewable based on... I guess it is late.

**Chairperson Blackwell** asked has the money already been incumbent or spent because it will be over on September 30<sup>th</sup>? So, are they spending over \$284,00.00 between now and then?

**DC Logan** stated most of the grants are in fact renewable. We might have just found out about it and the window is still opened. I will get you a specific answer.

**Chairperson Blackwell** asked so in other words this will be renewable and already in action, this is just a retroactive (inaudible) December?

**DC Logan** stated that is what it sounds like.

**Chairperson Blackwell** stated since there is no cash match required, we will approve it and wait for the specifics of if the grant such as, if it is renewable and what the period is.

**MOTION: Comm. Norris** made the motion to approve the above Grant.

**SECOND: Comm. Ramirez** seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

## **8. OTHER BUSINESS**

**Vice-Chairperson Ramirez** stated we have been conducting interviews for the Personnel Director under the Open Meetings Act. We did meet and interviewed on May 25, 2005. We are recommending two candidates in regards to the Personnel Director position. On June 2, 2005, we will have second interview meeting with Lawana Ducker and Laurie Moore.

**Atty. Hooks** stated we have made the resumes of all of the applicants available and we will make the notes available from yesterday.

**Chairperson Blackwell** stated we had a total of resumes? How many did we receive?

**Atty. Hooks** stated we had a total of seven (7) resumes.

## **9. ANNOUNCEMENT OF NEXT MEETING**

Thursday, June 2, 2005 @ 3:00 p.m.  
Police Headquarters  
1300 Beaubien, Rm. 328-A  
Detroit, MI 48226

#### 10. ORAL COMMUNICATION FROM THE AUDIENCE

**Ron Scott** asked is the reduction of staff at the Office of the Chief Investigator affecting complaints? He stated that he received a complaint from a member regarding the findings of their complaint. When we went back and investigated, we found that a particular investigator failed to retrieve a videotape of the incident or did not interview witnesses to the incident. I am concerned if that particular person is still working.

**Comm. Norris** stated I don't know the specific case that you are talking about. I am sure that we can let you know off the record, if a particular investigator is still there. I do know that Comm. Ramirez and I have reviewed many many many of these files and the first thing we look for is was there a video requested. Often it is requested and it is not available or it's not found. Or it's found and it's not helpful. And, that happens a great deal of time, that's been one of the issues that we have raised a lot. But, the bigger answer to your question is, we have made it clear to the investigators that reduction in staff does not allow them to compromise the integrity of their reports. The practical effect of that is, we would have a very difficult time meeting our timelines for turning around these reports because when you have a significant reduction in staff and the same number of complaints, you either do a lousy job investigating complaints or you don't get so many done and that is one that we are going to have explain to people because it is important that the complaints be handled properly.

**Vice-Chairperson Ramirez** asked when a car is reported stolen and it is recovered who puts it in the LEIN system? Is it the precinct themselves?

**DC Logan** stated it's the precinct's themselves. We've had a tremendous problem with inefficiencies getting that done. We've started a new in-service training policy to educate officers on how to do that. It was brought to our attention by DC Motley. We recognized that there have been numerous problems that have cost the city some money. We are aware of the problems and we are working on them. We are still having some problems, but in the next couple of weeks they should be gone.

**Vice-Chairperson Ramirez** asked the training being continued?

**DC Logan** stated the training is continued.

#### 11. ADJOURNMENT

The meeting was adjourned at 3:30 p.m.

Respectfully submitted,

**DANTE' L. GOSS**  
Executive Director  
Board of Police Commissioners

**DLG/kdw**